IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.8.2007

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.26619 of 2007

V.Jayakumar .. Petitioner

vs.

The Sub Collector,
Pollachi,
Coimbatore District. .. Respondent

This writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus to direct the respondent to release the Lorry bearing Registration No.T.N.U-864 seized by the respondent, on 4.8.2007, to the petitioner.

For petitioner : Mr.C.Prakasam

For respondent : Mr.A.Arumugam
Additional Government Pleader

O R D E R

Mr.A.Arumugam, the learned Additional Government Pleader takes notice for the respondent.

2. With the consent of the learned counsels appearing on either side, the writ petition itself is taken up for final disposal.

3. Considering the facts and circumstances of the case, the respondent is directed to release the Lorry bearing Registration No.T.N.U-864 to the petitioner, on the following conditions:-

A) The petitioner shall establish the ownership of the vehicle by producing the necessary documents before the Respondent.

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B) The petitioner shall not part with or alienate the vehicle in any manner till the adjudication is over.

C) The petitioner shall deposit with the respondent a sum of Rs.15,000/- (Rupees Fifteen Thousand only) in cash, as agreed.

D) The petitioner shall file an undertaking that he will not use the vehicle for any illegal activities in future and also to produce the vehicle before the respondent as and when called for.

E) The petitioner shall also produce the vehicle once in two months before the respondent herein in order to ensure that condition (B) is properly complied with.

4. In the event of default by the petitioner in complying with condition B or E, it will be open to the respondent to seize the vehicle, without further notice to the petitioner.

5. With the above directions, this Writ Petition is disposed of, at the admission stage itself. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The Sub Collector,
Pollachi,
Coimbatore District.

+1 cc to Mr.C.Prakasam, Advocate Sr.No.51258.

+1 cc to Government Pleader Sr.No.51582.

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